

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA
AT ERIE**

MARLON JONES,

Plaintiff,

v.

ST. MARY'S/ELK REGIONAL
HOSPITAL, *et al.*,

Defendants.

Civil Action No. 1:15-cv-00089-BR-SPB

ORDER

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE

The Court, having considered the Report and Recommendation of Magistrate Judge Susan Paradise Baxter, and the balance of the record, **HEREBY ORDERS:**

1. The Court **ADOPTS** the Report and Recommendation;
2. FCI Defendants' Motion to Dismiss, or in the Alternative, for Summary Judgment (Doc. No. 32) is **GRANTED**;
3. Defendants St. Mary's/Elk Regional Hospital and Kane Community Hospital are **DISMISSED** without prejudice;
4. Defendant Dr. Rudick's Motion to Dismiss (Doc. No. 26) is **GRANTED**;
5. This case is **CLOSED**; and
6. The clerk shall send copies of this Order to the parties.

IT IS SO ORDERED.

DATED this 9th day of September, 2016



BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE